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ARVILLA C. RANK, M.S.
Executive Director

June 27, 1998

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Federal Communications Commission
Office of the Secretary
1919 M Street, NW, Room 222
Washington, DC 20554

Dear Commission Members:

Re: **WT Docket No 96498, Implementation of Section 255 of the Telecommunications Act**

I am writing regarding the implementation of Section 255 of the Telecommunications Act of 1996. I am a deaf consumer of services and the Executive Director of the National Catholic Office for the Deaf (NCOD). Equitable access is very important to my ability to perform the duties of my position effectively and efficiently. In addition to me, one staff member is deaf and one is hard of hearing. They also continuously encounter barriers.

I am addressing the following four issues in the proposed rules:

1. **Access Board Guidelines.** I strongly urge you to adopt the Access Board Section 255 guidelines for both manufacturers and the service providers. These guidelines are needed to provide clear guidance on the obligations of companies to make their products and services accessible. In the current proposed rules it is not clear whether you intend to adopt the Access Board guidelines.
2. **Readily Achievable.** I oppose allowing companies to consider the extent to which the costs of providing access will be recovered. If you allow this factor in determining "readily achievable", it will defeat the purposes of Section 255. The very reason we need this accessibility law is because the market did not respond to the needs of deaf and hard of hearing people. I still do not have equitable access to telecommunications services such as voice mail, interactive telephone systems and call forwarding, all of which are very important factors in performing my current position effectively. Please follow the definition of "readily achievable" as it was defined in the Americans with Disabilities Act (ADA).
3. **Enhanced Services.** Services such as voice mail, electronic mail, interactive voice response systems and audiotext are all enhanced services available to the general public but which remain inaccessible or only minimally accessible to me. They all effect my ability to be as effective as I can in my work. I currently retrieve voice mail messages

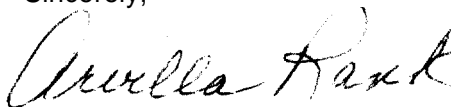
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through the local Telecommunications Relay system. However, in the process I often have to instruct the communication assistant on how to save messages and the messages that are received not clear because the communication assistant is not familiar with the terminology and names involved in my particular agency. In addition retrieving voicemail messages through the Relay System is a long drawn-out time consuming process, which no hearing person would tolerate. The biggest drawback, though, is that although people calling with a TTY can leave a message on our voice mail, I cannot retrieve it, either through the Relay or independently. I need to get a hearing person to retrieve it.

4. **Complaint process.** I am pleased to hear that the FCC will enforce Section 255 with a complaint process and that the National Association of the Deaf (NAD) headquarters will be examining and responding to the various legal issues raised in the notice concerning complaints. I want to support the following proposals:
- There should be no filing fees for informal or formal complaints with the FCC against either manufacturers or service providers. Waiving these fees would be in the public interest.
 - There should not be any time limit for filing complaints, because one never knows when he or she will discover that a product or service is inaccessible.
 - Consumers with disabilities should be able to submit complaints by any accessible means available.
 - Manufacturers and service providers should be required to establish contact points in their companies that are accessible to consumers with disabilities.

Thank you very much for considering these issues and hopefully incorporating them to make the strong rules we need to truly make a difference in the way deaf and hard of hearing people can use telecommunications services.

Sincerely,



Arvilla Rank
Executive Director

Enclosure (5 copies)

CC Karen Strauss